

201 KAR 13:050. Apprentices.

RELATES TO: KRS 326.020, 326.035

STATUTORY AUTHORITY: KRS 326.020(3), 326.035

NECESSITY, FUNCTION, AND CONFORMITY: KRS 326.020(3)(a) authorizes the board to promulgate administrative regulations to carry out the purposes of KRS Chapter 326, including the licensing of apprentice ophthalmic dispensers. KRS 326.035 authorizes the board to issue an apprentice license to any person in training to be an ophthalmic dispenser. This administrative regulation establishes the requirements for an apprentice ophthalmic dispenser.

Section 1. Definitions. (1) "Apprentice ophthalmic dispenser" means a person who is in training for the vocation of ophthalmic dispenser and who dispenses ophthalmic lenses, frames, and appurtenances thereto to the intended wearer only under the supervision of an ophthalmic dispenser.

(2) "Ophthalmic dispenser" means a physician, osteopath, optometrist, or licensed ophthalmic dispenser licensed pursuant to KRS 326.040 who is sponsoring an apprentice ophthalmic dispenser.

Section 2. (1) An apprentice license shall be required of any person:

(a) Who is not a licensed ophthalmic dispenser, but is in training to be an ophthalmic dispenser;

(b) While in training works under the supervision of a licensed ophthalmic dispenser; and

(c) Whose duties require that he or she perform the services as would be normally performed by a licensed ophthalmic dispenser.

(2) The board shall revoke the apprentice license at any time if either the employer, the apprentice sponsor, or the apprentice fail to carry out the provisions of this administrative regulation.

(3) A licensed apprentice ophthalmic dispenser shall at all times work under the supervision of, and in the same establishment with, an ophthalmic dispenser, and the ophthalmic dispenser shall be responsible for the actions of the apprentice.

(4) The board shall issue an apprentice license for a period ending December 31 of the current year, upon receipt and board approval of the required application and a fee of fifty (50) dollars, as required by 201 KAR 13:040. If the apprentice's employment under the sponsoring ophthalmic dispenser is terminated for any reason, the board shall be notified immediately in writing and within thirty (30) days of the last day of employment. An apprentice ophthalmic dispenser that fails to timely notify the board of termination of employment shall be subject to disciplinary action under KRS 326.090(1)(i).

(5) The board shall supply, upon request, a list of approved textbooks covering the subjects on which the examination is based.

(6) The board may reject the application for an apprentice license or rescind a license already issued if, upon inspection, it is found that any of the requirements for an apprentice license, as outlined in KRS 326.035 or the administrative regulations, as provided in subsection (7) of this section, are being violated.

(7) All administrative regulations within 201 KAR Chapter 13 regarding conduct, paying of fees, suspensions, or revocations and all other administrative regulations within 201 KAR Chapter 13 not specifically excluding apprentice licenses shall apply to the licensed apprentice ophthalmic dispenser.

Section 3. (1) An apprentice ophthalmic dispenser shall train for the vocation of ophthalmic

dispenser license and demonstrate progress toward an ophthalmic dispenser license to the board by complying with the educational timeline established in this section.

(a) An apprentice ophthalmic dispenser shall submit proof of the completed training schedule consistent with KRS 326.035(5) to the board for approval within twelve (12) months from the date that the apprentice ophthalmic dispenser license is issued.

(b) An apprentice ophthalmic dispenser shall submit proof to the board of a passing grade on the American Board of Opticians (ABO) Basic Examination and the National Contact Lens Examiners (NCLE) Basic Examination within thirty-six (36) months from the date that the apprentice ophthalmic dispenser license is issued.

(c) An apprentice ophthalmic dispenser shall submit proof to the board of a passing grade on the National Commission of State Opticianry Regulatory Boards (NCSORB) National Practical Examination within five (5) years of the date that the apprentice ophthalmic dispenser license is issued.

(2) An apprentice ophthalmic dispenser that fails to meet the educational timeline established in subsection (1) of this section shall not have the apprentice license renewed by the board.

(3) A licensee shall request an extension of the time in which to complete the educational timeline listed in subsection (1) of this section by submitting a request to the board, in writing, within sixty (60) days before expiration of the applicable due date. The board shall allow an extension of time for any applicant demonstrating a need based on medical necessity, family related health emergency, or military service. The licensee shall submit with the request for extension documents that support the need for the extension. (OD-2; 1 Ky.R. 722; eff. 5-14-1975; Am. 11 Ky.R. 56; eff. 8-7-1984; 733; eff. 12-11-1984; 21 Ky.R. 483; eff. 10-19-1994; 27 Ky.R. 1530; 2502; eff. 4-9-2001; 42 Ky.R. 2624; 43 Ky.R. 19; eff. 7-20-2016.)